



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atsushi Tomita

Application No.: 09/810,489

Filing Date: March 19, 2001

Title: EQUIPMENT MANAGEMENT APPARATUS, EQUIPMENT MANAGEMENT SYSTEM, AND EQUIPMENT

Group Art Unit: 2157

Examiner: ABDULLAHI ELM SALAD

Confirmation No.: 8259

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

- ☐ A Petition for Extension of Time is also enclosed.
- ☐ Terminal Disclaimer(s) and the ☐ \$65.00 (2814) ☐ \$130.00 (1814) fee per Disclaimer due under 37 C.F.R. § 1.20(d) are also enclosed.
- ☐ Also enclosed is/are _____

- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$395.00 (2801) ☐ \$790.00 (1801) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.
- ☐ Applicant(s) previously submitted _____

_____ on _____
for which continued examination is requested.
- ☐ Applicant(s) requests suspension of action by the Office until at least _____, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

- ☒ No additional claim fee is required.
- ☐ An additional claim fee is required, and is calculated as shown below.

AMENDED CLAIMS					
	No. of Claims	Highest No. of Claims Previously Paid For	Extra Claims	Rate	Additional Fee
Total Claims	15	MINUS 20 =	0	x \$50.00 (1202) =	\$ 0.00
Independent Claims	6	MINUS 6 =	0	x \$200.00 (1201) =	\$ 0.00
If Amendment adds multiple dependent claims, add \$360.00 (1203)					
Total Claim Amendment Fee					\$ 0.00
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee					\$ 0.00
TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT					\$ 0.00

- ☐ A check in the amount of _____ is enclosed for the fee due.
- ☐ Charge _____ to Deposit Account No. 02-4800.
- ☐ Charge _____ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

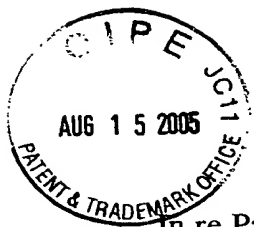
P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

Date: August 15, 2005

By



James A. LaBarre
Registration No. 28,632



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)

Atsushi Tomita)

Application No.: 09/810,489)

Filed: March 19, 2001)

For: EQUIPMENT MANAGEMENT)
APPARATUS, EQUIPMENT)
MANAGEMENT SYSTEM, AND)
EQUIPMENT)

Group Art Unit: 2157

Examiner: ABDULLAHI ELMI
SALAD

Confirmation No.: 8259

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated May 18, 2005, Applicant respectfully requests reconsideration and withdrawal of the rejection of the claims. The indication that claim 5 contains allowable subject matter, in addition to previously allowed claims 9-11, 13 and 15, is noted with appreciation.¹

The remaining claims were rejected under 35 U.S.C. §102, on the grounds that they were considered to be anticipated by the newly-cited Kodimer et al patent (US 6,003,078). It is respectfully submitted that the Kodimer patent does not disclose, nor otherwise suggest, the claimed subject matter.

As pointed out in Applicant's previous response, the claimed invention functions to improve the efficiency of service calls on business equipment, such as photocopiers. When a trouble condition occurs in one of the items of equipment, information about that

¹ It is noted that claim 5 is included in the statement of rejection in section 6 of the Office Action. However, no specific rejection of this claim is presented. From the record as a whole, it is understood that the claim is deemed to contain allowable subject matter.

condition is transmitted to a centralized management apparatus. In accordance with the claimed invention, when this trouble condition information is transmitted, management information about *another* item of equipment is transmitted along with it. Consequently, when a service engineer is dispatched to repair the trouble condition in the first item of equipment, he can also perform routine maintenance on the second item of equipment as part of the same call, if the transmitted management information indicates that such maintenance will be due soon. As a result, the invention reduces the need to dispatch the service engineer to a given site multiple times for separate items of equipment, thereby increasing the overall efficiency of the servicing operation.

The Kodimer patent discloses a system that enables status information concerning the condition of network peripheral device, such as a copier, to be automatically communicated to a remote service organization. As described in column 12, line 41, to column 13, line 18 (referenced in the Office Action), when a condition is detected for which service is required, such as a motor failure in a copier 11, this condition is relayed to a network interface board (NIB) 14. The NIB inserts this information into an HTML file, and sends it to a workstation 1, via a network that includes the World Wide Web 6. At the workstation 1, a browser displays a page that contains the information relating to the detected condition. An example of this page is illustrated in Figure 19 of the patent.

With reference to claim 1, the Office Action states that the NIB 14 functions as a detector for detecting trouble which has occurred in first equipment, e.g. failure of the motor in the copier 11. The Action goes on to identify the server 12 (intermediate the copier 11 and the NIB 14) as a transmission controller that transmits management

information about second equipment, i.e. the copier 11, which is other than the first equipment together with the trouble information about the first equipment.

In an effort to read the claim upon the reference, therefore, the Office Action is attempting to distinguish between the copier 11 and the failed motor within that copier as two separate pieces of equipment. It is respectfully submitted, however, that this is an improper interpretation of the teachings of the reference. The motor does not constitute an item of equipment which is "other than the first equipment," namely the copier 11. Rather, the motor is a *component* of the copier 11. From the standpoint of a service call, the copier 11 and its motor comprise the *same* piece of equipment. A person of ordinary skill in the art does not think of the copier as a whole as being a separate piece of equipment from its constituent motor.

It is respectfully submitted that the system disclosed in the Kodimer patent is not the same as the claimed invention, and does not achieve the same advantages. As discussed previously, the present invention functions to provide information about a *second* piece of equipment which may require attention in the near future, when transmitting information about a first piece of equipment that requires immediate attention. Consequently, when the technician makes a service call to address the immediate need, he can attend to *both* items of equipment as part of the same call, thereby avoiding the need for a separate service call to attend to the second item of equipment.

The system of the Kodimer patent does not achieve this same result. When a technician makes a service call to fix or replace the failed motor in the copier 11, it is normally expected that he will attend to any other routine maintenance that is required for the copier 11 at that time. However, there is nothing to alert him to the fact that another

copier at the same site may require maintenance in the near future. Consequently, a second service call, to perform the maintenance on that other copier, will likely result.

In the context of the claimed invention, *two* items of information are transmitted to the centralized management apparatus, namely the trouble information about the first equipment and management information about the second equipment. Even if the copier 11 of the Kodimer patent is interpreted to be equipment separate from its motor, the patent only discloses that one item of information is provided to the viewer at the workstation 1. As shown in Figure 19, the displayed page only indicates that an error condition has been detected for the lifter motor. There is no other management information about the copier 11 that might serve, for example, to inform the viewer that other servicing may be required. Accordingly, even with the interpretation set forth in the Office Action, the reference still fails to disclose all of the claimed subject matter. The only "management information" that is provided to the viewer at the workstation 1 is the trouble condition concerning the motor.


For at least these reasons, therefore, it is respectfully submitted that the Kodimer patent does not anticipate claim 1. For the same reasons, the subject matter of claims 12 and 14 is likewise not anticipated. Since all other rejected claims depend from these claims, they are likewise not anticipated for at least these same reasons.

Reconsideration and withdrawal of the rejection, and allowance of all pending claims is respectfully requested.

Respectfully submitted,

BUCHANAN INGERSOLL P.C. (INCLUDING ATTORNEYS FROM
BURNS, DOANE, SWECKER & MATHIS)

Date: August 15, 2005

By: 
James A. LaBarre
Registration No. 28,632

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620